

THE EXAMINER.

"PROVE ALL THINGS; HOLD FAST THAT WHICH IS GOOD."

VOLUME I.

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THE EXAMINER.

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PAUL SEYMOUR.

COMMUNICATIONS.

Distinguishing Traits of the Mosaic Law of Servitude.—No. 4.

The servant had the same religious privileges, and instructions as his master, and was thus regarded and treated as a man, and in all respects a man, an intelligent being, and not as a piece of property.

Read carefully the enactments on this subject in Deut. 29, 10-13, and 30, 10-13. With these enactments compare the statutes already quoted in a previous number, requiring the servant to be present at all the great feasts, and the passage from the Jewish lawyer, Maimonides. Compare, also, texts like the following, which are of frequent occurrence in the Mosaic code. Also, thou shalt not oppress a stranger; for ye know the heart of a stranger, seeing ye were strangers in the land of Egypt. Exod. 23, 9. Ye shall have one manner of law, as well for the stranger as for one of your own country: for I am the Lord your God. Lev. 24, 22.

The Hebrews had been both strangers and slaves in the land of Egypt, they had been grievously oppressed; and their wise and humane legislator frequently reminds them of their former sufferings to excite their tender sympathies towards those who were in like circumstances among themselves. The term stranger is often used synonymously with that of bondman; and strangers and bondmen were to be the objects of peculiar regard, especially in respect to the enjoyment of religious privileges. Compare the law of the Sabbath, Exod. 20, 10. The seventh day is the Sabbath of the Lord thy God, in it thou shalt not do any work, thou, nor thy son, nor thy daughter, nor thy man servant, nor thy maid servant, nor thy cattle, nor thy stranger that is within thy gate.

6. Full provision was made to secure the escape of a servant from an unjust and cruel master.

Thou shalt not deliver unto his master the servant that is escaped from his master unto thee; he shall dwell with thee, even among you in that place which he shall choose in one of thy gates, where it liketh him best, thou shalt not oppress him. Deut. 23, 15, 16.

There is nothing in the context to modify or limit in any way the meaning of this statute. It stands entirely disconnected with what precedes and with what follows, and must, therefore, be understood according to the full import of the terms in which it is written. It does not, indeed, prohibit the master retaining his own servant if he can; but it does positively forbid any one helping him to do it. It gives the servant the same chance to escape that was granted to the homicide by laws pertaining to the cities of refuge, in Num. 35.

There is no injustice done by this law understood in its fullest sense. A worthy servant, treated according to the principle of the Mosaic code, would never desert a worthy master—a worthy master would never desire to be afflicted with a worthless servant—and a worthless master has no business with a servant of any kind. We have already seen how easy the Mosaic code designedly made it to deprive a worthless master of all his servants. The statute understood in its fullest sense, is in exact accordance with the whole spirit and design of the Mosaic law of servitude—which was to limit and modify and civilize the slavery actually existing, that it should become a system of voluntary labor, sustained by the mutual advantage of both master and servant,—that the master might have neither motive nor power to oppress the servant, and that the servant might have no strong temptation to defraud the master. This was the point which was reached at last, and towards all this the statutes tended.

The assumption that this statute, expressed in the most unlimited and equivocal terms, applies only to slaves escaping from other nations, is wholly gratuitous, entirely contrary to all the principles of legal interpretation, and directly at variance with the entire spirit of the Mosaic code. It is a positive statute, and a statute must be strictly interpreted. It is expressed in terms the most universal, and there is nothing in the context to limit in the least degree the meaning of the terms; and there is no other statute in the whole Mosaic code inconsistent with this understanding of it. On every principle of interpretation, we are obliged as honest men, to receive the statute in its literal sense.

But says an objector: "This would abolish the whole system of servitude, which was one object of the Mosaic code to maintain and regulate; and it is absurd to interpret one statute in contradistinction to the whole system." I grant that the statute thus understood would in time break up the whole system of involuntary, compulsory servitude—and this, I affirm, is the very thing which Moses intended to do, the very thing which as matter of fact, he actually accomplished. This and nothing else was the very purpose of the whole Mosaic law of servitude, as must be manifest to any fair-minded man who examines it closely; and this purpose in point of fact it did most effectually accomplish. Is it any objection to the plain, literal, obvious interpretation of this passage, that such an interpretation makes it accomplish the very thing that the whole code to which it belongs was intended to accomplish, and which it actually did accomplish in the Hebrew nation? I think not.

African Colonization, No. 6.

The removal of slavery from our country has always been connected with the aggregate amount of the slaves, and their annual increase. With these calculations in the mind, it has been judged impracticable to get rid of it by colonization. But this is not the best way to view it to know whether it is possible to get rid of it. Virginia has been sending away her slaves to other slave States, until she has not only removed the annual increase of what was her capital, but she has reduced her capital by several thousands. It has been done by taking away those who were producers.

In our last number we laid down figures in order to find the capital to be removed, so that the whole slave population could be taken from the United States. In our present number we will follow the same method to show that the whole black population now in the State of Kentucky, can be taken away.

1st. The removal of the free blacks.—There are 8,000 of this class in the State, of this number 1,500 are males, and 1,520 are females between 16 and 45. Take first, those who are married, with their children; after such are removed, then remove the unmarried. Say that each family will average four children. This would give six to each family. Draw for 100 families, which would give for emigration 600 souls. It would take two ships—or one ship making two voyages, allowing 300 souls to the ship, to take this number. Add five to twelve per cent, to this 100 families for the annual emigration. When the married will not make up the number to emigrate, draw from the unmarried. In a few years there would be none of the 8,000 in the State, but those who are too old to go, and would, in a few years, be in their graves. Or take those who are between 21 and 24, males and females. Of this class we have 2,200 to remove. The whole could be taken in one year, or the reader may divide them off to go in as many years as he pleases. It is seen they can be taken away without difficulty. As to the expense of removing them, it can be met by the State making an appropriation of \$5,000 a year, so long as it shall be necessary to remove those who are to go. If the reader judges there are some of the free blacks that ought not to be removed because of their unsuitableness, as criminals, then we decrease the number to go, and the expense to take the whole away.

2d. The removal of slavery from Kentucky. We will give three plans to do it.

1st plan. The increase shall be taken away. Let a law be passed that all born in, and after, the year 1850, shall be free born; but subject to the owner of the mother, until 20 years old. When 20, shall be hired out by the County Court for two years, to raise funds to pay the passage to Liberia, and give an outfit. We will take the Second Auditor's reports since 1840 as our guide, to find the annual increase of the slaves in Kentucky, that we may see how many would have to be taken away each year to effect the object.

In 1840 there were 166,817 slaves.

" 1841 " 168,853 "

" 1842 " 170,254 "

" 1843 " 176,107 "

" 1844 " 178,837 "

" 1845 " 183,742 "

" 1846 " 185,582 "

This table shows that the slaves increased as follows, from—

1840 to 1841, 2,036

1841 to 1842, 2,036

1842 to 1843, 2,036

1843 to 1844, 2,730

1844 to 1845, 4,905

1845 to 1846, 1,840

But we have another table by which we can learn what is the annual number under 16 years of age in the State for these years—

In 1840 under 16 years, 91,386 slaves.

" 1841 " 92,844 "

" 1842 " 92,844 "

" 1843 " 96,107 "

" 1844 " 96,297 "

" 1845 " 99,958 "

" 1846 " 99,904 "

Another table shows us the annual increase under 16 years of age: from

1840 to 1841, under 16 y's, 1,458 slaves

1841 to 1842, " 1,458 "

1842 to 1843, " 3,263 "

1843 to 1844, " 190 "

1844 to 1845, " 3,661 "

1845 to 1846, decrease was 54 "

We will take the number over 16 years in the year 1846, as our basis for the benefit of the argument, as the number in 1850, when a law to that effect shall go into operation, to remove those included in this plan. In the census of 1840, there were in round numbers, 16,000 between 36 and 55. There were 5,000 over 55 and upwards. Halve the 16,000 to get those under 45—which is 8,000. Add this 8,000, to 5,000; which makes 13,000, over 45 years old in the State. Deduct this number from 85,678, between 20 and 43, to be removed. This is sufficiently near to show our plan. Take from this capital 2,000 adults, those who are married, and let their children, under five years old, go with them. Add five per cent, annually to the capital that were the preceding year; and in thirty years who would be in slavery to tell about the times past! The second table shows what is the increase, as matters now stand, over 16 years of age, that would be added to the capital. We assume in this plan, the same as in the first plan, as to details—incapability of emigrating, and no removals of slaves to other slave States. Four ships, making each two voyages, will take the whole emigration for a year. This plan takes from the capital to place it at interest in Liberia, and the interest that is taken under five years old, becomes capital to have its interest in Liberia, instead of Kentucky.

In making the draft, the number to emigrate shall be drawn, say in 1850—1000 husbands, and 1000 wives, from the whole number between 20 and 43. They are hired out by the County Court for two years to pay expense of removal, &c. In 1852 they leave for Liberia. In 1851 the draft is made from the same ages to be hired out for the same purpose. They will leave in 1853. And so on. When the married are not sufficient to make up the number to go, then let the unmarried be selected. In no case shall an owner be required to let more than one go, male or female, until all the owners have had one taken from them, between the ages given, viz: 20 and 43. Thus the removal falls equally on all. In case an owner owns the husband of the wife that is drawn to go, then let a man unmarried of equal value be drawn from another owner, and the husband be given up to go, with the wife; and the single man become the property of the man that has sent husband and wife. But this would be a rare case.

3d plan. The removal of those between 20 and 25, male and female. All born in 1850, and afterwards, in the State, shall be free born. At 20 they shall be hired out for six years by the County Court, without those who owned the mother wished to keep it in his service for six years. This time is a compensation to the owner of the mother, for his consent to lose his slave property. After the six years, the person shall be hired out to pay his passage, and have an outfit to Liberia. The children they may have shall go with them. They are 28 when they emigrate. We will take the highest number of the increase over 16 that we find in the Auditor's Reports, viz: 2,590 for the year 1842, as the number to emigrate in the year—or we will allow the whole increase as given of the slaves in the most favorable year, that of 1843, which was 5,533. Allowing that none die, but all live, and are found over 20 years old, it will be seen the whole number can be taken away, which ever number you select to emigrate. The table that shows the increase annually of what goes over 16 years is before the reader, to learn the stream that feeds the capital or fountain. In 1878 the plan goes into operation for removal. As the years roll around, they are annually going, and finding those that bind them together in Liberia. When the first emigration on this plan leaves, they go knowing that not a slave child is born in the State. And when the last emigration departs, they have seen buried all their relatives except those over 70, who will find christian burial in the State. On this plan, we assume emigration will stop when the law goes into effect by voluntary emancipation for the purpose—and we assume as in the other plans, that none will be taken to other States, &c.

Perhaps the reader will be aided in his reflections on this subject, by stating to him, that from 1840 to 1846, the increase in the State of those over 16, is 8,518; that is in 1844 there were 91,386 slaves over 16 years old. In 1846, there were over 16 years old 99,904, only an increase in the six years of 8,508. In fact the increase of the slaves under 16, or over 16 is comparatively small each year.

Let it be remembered the married man, the widow, the single adult, male and female, has on arrival in Liberia a sufficient quantity of land given to them to make a good commencement in their new home.

The first plan gives the owner the servant until 20 years old, as compensation for raising him or her. The second plan takes the producing class in such numbers from the owner, that he does not feel his loss, while he has the use of those who remain all their lives with him. Beside the plan gives them all their slaves until 20, before they can be thrown in the body to be drafted from, except those under five who may be the children of the mother that is drafted to go. The third plan gives the owner not only the use of the servant until 20 to pay for raising him; but the use or hire for six years as a compensation for the value he would have in him at 20, if he were to be sold.

All of the plans give the owners of the servants, their service and in fact rights in them as property, which are not included in the ages specified in the plan selected to carry out the removal of slavery from the State.

While either of the plans is being carried out, Liberia is yearly gaining strength to receive the emigration from Kentucky. The number assumed to go out in any one year is given on the ground that emigration will go on every year from other States to Liberia.

According to the plans given, those in Kentucky who have no slaves are not taxed to pay the owner for emancipation of his slave, nor for his removal; nor is the owner taxed for the removal of his own servant, or that of another. And that the owners of slaves may feel that they are not great

sufferers by the law of gradual emancipation with removal, let the tax on slave property be taken off, and the amount be raised on property owned alike by the slaveholder and the non-slaveholder. Either of the plans can remove slavery from the State, and no burden fall upon owner, slave, or State.

A COLONIZATIONIST.

ADDRESS.

To the people of West Virginia; showing that slavery is injurious to the public welfare, and that it may be gradually abolished, without detriment to their rights and interests of slaveholders; by HENRY RUFFNER, D. D., Lexington, Va.

1. The progress of population in the free States and in the slaveholding States. It has so happened that, from the beginning, these two classes of States have been nearly equal in number and in natural advantages; only the slaveholding States have always had the larger share of territory, with a soil and climate peculiarly adapted to the richest products of Agriculture.

At the first census in the year 1790, these two classes of States were about equal in population: the free States had 1,968,000 inhabitants, and the slave States 1,961,000; so that they started even in respect of population; for the superior extent of the slave States gave them an advantage in the race, far more equivalent to their small inferiority of numbers.

Twenty years later, it was found that the free States had gained 276,000 inhabitants more than the slave States, though Louisiana with her population, had in the meantime been added to the latter.

The free States continued to run ahead, gaining more and more on the slave States at each successive census, up to the last, in 1840, when they had a population of 9,720,000, against 7,320,000 in the slave States.

This result is more surprising when we consider that in 1790, the slave States had a territory embracing 220,000 square miles, against 160,000 square miles in the free States; and that as new States and Territories were added to the old, the class of slave States still gained in Territory, as they continued to fall behind in population.

In 1840, the slaveholding Territory, actually inhabited, contained an area of 580,000 square miles, at least; while the inhabited free Territory, contained about 360,000 square miles. The slave country was therefore less than half as thickly populated as the free country.

Some advocates of slavery apologize for this result, by ascribing it to foreign emigration, which, they say, goes almost wholly to the free States. We deny that it goes, almost wholly to the free States; but if it did, what are we to infer from the fact that slavery does not check the growth of States? No; but on the contrary, that it checks their growth in various ways; partly by repelling emigrants who would come from the free States and from foreign countries—which it does, and partly by driving out free laborers from the slave States into the free States—which it does, also.

But this general comparison between the two classes of States, does not truly measure the effect of slavery in checking the growth and prosperity of States; because, in the first place, it takes in the new thinly populated slave States, where slave labor operates on new soils of the best quality, which has not had time to do its work of impoverishment and desolation; and because, in the second place, it takes in some States, both old and new, in which the slaves are comparatively few, and a predominance of free labor counteracts the destructive tendencies of slavery. Such are the old State of Maryland and the new State of Missouri; besides others as Kentucky and Tennessee; in which slavery, though deeply injurious, is itself held in check by a free laboring population.

We will therefore take the old free States, and compare them with the old slave States of Virginia, the Carolinas and Georgia, in which slave labor predominates.

New England and the middle States of New York, New Jersey and Pennsylvania, contained in 1790, 1,968,000 inhabitants, and in 1840, 6,760,000; having gained, in this period, 243 per cent.

The four old slave States had in 1790, a population of 1,473,000, and in 1840, of 3,279,000, having gained in the same period, 122 per cent, just about half as much in proportion, as the free States. They ought to have gained about twice as much; for they had at first only seven inhabitants to the square mile, when the free States not only had upwards of twelve, but on the whole much inferior advantages of soil and climate. Even cold, barren New England, though more than twice as thickly peopled, grew in population at a faster rate than these old slave States.

About half the territory of these old slave States is new country, and has comparatively few slaves. On this part the increase of population has chiefly taken place. On the old slave-labor low-lands, a singular phenomenon has appeared: there, within the bounds of these rapidly growing United States,—yes, there, over wide regions, long at a stand; yes, over wide regions, especially in Virginia, it has declined, and a new wilderness is gaining upon the cultivated land! What has done this work of desolation? Not war, nor pestilence; not oppression of rulers, civil or ecclesiastical; but slavery, a curse more destructive in its effects than any of them. It was hard to hire for six years as a compensation for the value he would have in him at 20, if he were to be sold.

Let it be remembered the married man, the widow, the single adult, male and female, has on arrival in Liberia a sufficient quantity of land given to them to make a good commencement in their new home.

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sorry are, we for this fallen condition of "The Old Dominion," and of her neighbors; but such being the fact, we state it, as an argument and a warning to our West Virginia. It demonstrates the ruinous effects of slavery upon the countries in which the longest and most complete trial of it has been made.

There are certain drugs, of which large doses are poisonous, but small ones are innocent or even salutary. Slavery is not of this kind. Large doses of it kill, it is true, but smaller doses, mix them as you will, are sure to sicken and debilitate the body politic. This can be abundantly proved by examples. For one, let us take the rich and beautiful State of Kentucky, compared with her free neighbor Ohio. The slaves of Kentucky have composed less than a fourth part of her population. But mark their effect upon the comparative growth of the State. In the year 1800, Kentucky contained 221,000 inhabitants, and Ohio, 45,000. In forty years, the population of Kentucky had risen to 780,000; that of Ohio to 1,519,000. This wonderful difference could not be owing to any natural superiority of the Ohio country. Kentucky is nearly as large, nearly as fertile, and quite equal in other gifts of nature. She had greatly the advantage too in the outset of this forty years race of population. She started with five and a half inhabitants to the square mile, and came out with 20; Ohio started with one inhabitant to the square mile, and came out with 38. Kentucky had full possession of her territory at the beginning. Much of Ohio was possessed by the Indians. Ohio is by this time considerably more than twice as thickly peopled as Kentucky; yet she still gains both by natural increase, and by the influx of emigrants; while Kentucky has for twenty years been receiving much fewer emigrants than Ohio, and multitudes of her citizens have been yearly moving off to newer and yet newer countries.

In Tennessee the proportion of slaves is about the same, and the effects are about the same, as in Kentucky. Missouri is too new a country to afford instruction on this subject; but her physical advantages are drawing such a multitude of free emigrants into her, that her small amount of slavery must, ere long, give way and vanish before "the genius of universal emancipation."

Maryland has comparatively few slaves, and these are found chiefly about her old tide-water shores, where like the locusts, they have eaten up nearly every green thing. On the whole, the slaves of Maryland have composed between a fourth and a fifth part of her population. Her progress under this dead weight, has been much slower than that of her neighbor Pennsylvania; and would be completely stopped, if this free neighbor did not send a vivifying influence into her upper counties and her city of Baltimore.

Our own West Virginia furnishes conclusive evidence, that slavery, in all quantities and degrees, has a pernicious influence on the public welfare. But we reserve this example to a subsequent head of the argument, where we can present it in a more complete form.

We have now seen how slavery, when in full operation, first checks, and then stops, the growth of population; and finally turns it into a decline. We have seen also that slavery, when in partial operation, or mixed with a larger proportion of free labor hags like a dead weight upon a country, and makes it drag heavily onwards in the march of population.

Increase of population depends upon increase in the means of living. Wherever the three great branches of productive industry, Agriculture, Manufactures and Commerce, or any of them, continue to yield increasing products, the population will increase at the same rate; because then industry produces a surplus beyond the present wants of the people, and more families can be supported. This is the general rule. The only exceptions to it are partial and temporary in their occurrence. Population may increase to a small degree, while the yearly products of industry are stationary; but then it can be, only by allowing to each individual a reduced share of products.

In this case poverty and misery increase with the population, and must soon stop its progress. In this country, where emigration to new territories is so easy, the people are sure to relieve themselves by emigration, whenever the means of living begin to fail in their native place. Without some pressure of this sort, attachment to their native land is ordinarily sufficient to prevent men from emigrating. Some may emigrate without any feeling of necessity; but as many, if not more, will not emigrate, until want pinches them sorely.

We may lay it down as a general rule, therefore, that the quantity of emigration from a State is a pretty accurate index of its comparative prosperity. If we leave it, we may justly infer that its industry is thriving—sufficiently so to support the natural increase of its population, and to make nearly all contented at home. But if a large and perpetual stream of emigrants is pouring out in search of better fortune elsewhere;—it is an infallible symptom of one of two things; either that the country has no more natural resources from which industry may draw increasing products—or that the people are deficient in enterprise and skill to improve the resources of their country.

Let us apply this rule to Virginia, and how will she appear? We take it for granted, that the people of Virginia multiply as fast, naturally, as the people of other States—that is, at the rate of thirty-three and a third per cent in ten years; so that if none emigrated, the number would be increased by one third in that period of time.

Compare this natural increase with the census returns, and it appears that in the ten years from 1830 to 1840, Virginia lost by emigration no fewer than 375,000 of her people, of whom East Virginia lost 304,000 and West Virginia 71,000. At this rate Virginia supplies the West every ten years with a population equal in number to the population of the State of Mississippi in 1840!

Some Virginia politicians proudly—yes, proudly—fellow-citizens,—call our old Commonwealth, "The mother of States!" These enlightened patriots might pay her a still higher compliment, by calling her "The Grandmother of States." For our part, we are grieved and mortified, to think of the

lean and haggard condition of our venerable mother. Her black children have sucked her so dry, that now, for a long time past, she has not milk enough for her offspring, either black or white.

But, seriously, fellow-citizens, we esteem it a sad, a humiliating, fact, which should penetrate the heart of every Virginian, that from the year 1790 to this time, Virginia has lost more people by emigration, than all the old free States together. Up to 1840, when the last census was taken, she had lost more by nearly 300,000. She has sent, or we should rather say, she has driven from her soil—at least one third of all the emigrants, who have gone from the old States to the new. More than another third have gone from the other old slave States. Many of these multitudes, who have left the slave States, have shunned the regions of slavery, and settled in the free countries of the West. These were generally industrious and enterprising white men, who found by experience, that a country of slaves was not the country for them. It is a truth, a certain truth, that slavery drives free laborers—farmers, mechanics, and all, and some of the best of them too—out of the country, and fills their places with negroes.

[TO BE CONTINUED.]

RELIGIOUS INTELLIGENCE.

INFLUENCE OF CHRISTIANITY.—The Sandwich Islands, which 30 years ago were in a state of utterly savage ignorance, poverty, and wretchedness, are now, through the efforts of missionaries, becoming very important to commerce, as well as intelligent, virtuous, peaceful, and happy. They may properly be called the West Indies of the Pacific, distant from our coast 2160 miles. They are very fertile, producing sugar-cane of better quality than any other part of the world. The population now numbers 108,000; imports \$475,000; exports \$46,000.

The Feejee Islands furnish another striking illustration of the civilizing and transforming power of Christianity over the characters of the most degraded savages. Even these ferocious cannibals have been tamed by its influence, and become peaceful and industrious. The Missionary Herald contains a communication from Rev. Mr. Watford, of the English Wesleyan Mission in these islands, in which he says: "We do not, and we cannot tell you what we know of Feejeean cruelty and crime. You have heard much; but, after all, you have not told one half. There have been some great monsters in Feejee. Yet amidst all the darkness, the cruelty, the cannibalism, by which we are surrounded, our hearts are cheered by the conversion of souls to the Lord; and it is a pleasing and cheering fact, that those who formerly were the worst of the Feejeans, have been among the first to embrace the gospel of Christ." Another Missionary at the same place says: "Our societies have increased in number about two hundred during the year; but the numbers of the converts, the cannibals, by which we are surrounded, our hearts are cheered by the conversion of souls to the Lord; and it is a pleasing and cheering fact, that those who formerly were the worst of the Feejeans, have been among the first to embrace the gospel of Christ." Another Missionary at the same place says: "Our societies have increased in number about two hundred during the year; but the numbers of the converts, the cannibals, by which we are surrounded, our hearts are cheered by the conversion of souls to the Lord; and it is a pleasing and cheering fact, that those who formerly were the worst of the Feejeans, have been among the first to embrace the gospel of Christ." 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